

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

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Talonya Adams,	)	
	)	No. CV-17-00822-PHX-DLR
Plaintiff,	)	
	)	
vs.	)	Phoenix, Arizona
	)	July 10, 2019
Arizona Senate,	)	10:46 a.m.
	)	
Defendant.	)	
	)	

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**BEFORE: THE HONORABLE DOUGLAS L. RAYES, JUDGE**

**REPORTER'S EXCERPTED TRANSCRIPT OF PROCEEDINGS**

**JURY TRIAL DAY 2 - TESTIMONY OF DAVID BRADLEY**

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Proceedings Reported by Stenographic Court Reporter  
Transcript Prepared by Computer-Aided Transcription

A P P E A R A N C E S

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I N D E XWITNESSES FOR THE  
PLAINTIFF:DIRECTCROSSREDIRECTRECROSS**David Bradley**

By Ms. Adams

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By Mr. Moberly

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P R O C E E D I N G S

(Prior proceedings held on the record not transcribed herein.)

(Jury not present.)

THE COURT: Please be seated.

Who's our next witness?

MS. ADAMS: Senator David Bradley, Your Honor.

THE COURT: Is he in the courtroom?

MS. ADAMS: Excuse me?

THE COURT: Senator Bradley, would you come up here, please? And as soon as the clerk gets here, she's going to swear you in, right -- standing right here.

SENATOR BRADLEY: All right.

THE COURT: She's gathering the jury right now. That's the spot right there.

(Jury present.)

THE COURT: Please be seated.

Our next witness is Senator Bradley.

DAVID BRADLEY,  
called as a witness herein by the Plaintiff, having been first  
duly sworn or affirmed, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. ADAMS:

Q. Good morning, Senator Bradley. How are you?

A. Good. Thank you.

1 Q. Great.

2 Can you introduce yourself to the jury and state  
3 currently where you reside and the district you represent.

4 A. All right. Yeah, my name is David Bradley. I'm a state  
5 senator from District 10 in Tucson, so that's my home of  
6 residence. I am -- I am currently the minority leader of the  
7 State Senate.

8 Q. Okay. And how long have you been involved in politics?

9 A. A long time. Formally, since about 1990 or so, in that  
10 ballpark, yeah. I've been in public office since 2003.

11 Q. Okay. And how long have been a senator?

12 A. I've been a senator -- this is my seventh year.

13 Q. Okay. And after eight years, you will term out of the  
14 Arizona State Senate?

15 A. Yes, I will.

16 Q. And then run for governor?

17 A. No.

18 Q. Great. Okay.

19 How is it that you came to know Talonya Adams?

20 A. Talonya was a staffer when I -- I was in the House of  
21 Representatives, I was out for two years, and then got elected  
22 to the Senate. And I believe that Talonya was there when I  
23 took office.

24 Q. Okay. And did she -- do you recall her staffing committees  
25 that you were on?

1 A. No. She did not staff any of my committees, no.

2 Q. Okay. But you were a member of the Democratic Caucus, and  
3 she staffed the caucus?

4 A. Yes.

5 Q. And do you recall working with Ms. Adams on legislation and  
6 programming for pediatric dental care?

7 A. Yes. I remember having discussions on that topic, yes.

8 Q. And do you recall working with Ms. Adams on a firearm  
9 omnibus bill?

10 A. Now that you bring it up, yes. Yes.

11 Q. Okay. What was your characterization of Ms. Adams as a  
12 policy advisor at the Arizona State Senate?

13 A. Very professional. I thought you were -- Talonya was  
14 always efficient and was thorough in her research and very  
15 clear in her presentations, yeah.

16 Q. Were you ever -- did you ever know that Ms. Adams' policy  
17 advisor role was a junior or entry level policy advisor role?

18 A. No, I did not know that.

19 Q. Okay. Do you know of a junior or entry level policy  
20 advisor role at the Arizona State Senate?

21 A. Not in any formal way. I mean, there's people that come in  
22 who are new to the job, but I don't know that anybody is  
23 assigned that title, per se.

24 Q. Okay. And so to the best of your knowledge, Ms. Adams was  
25 just a policy advisor; is that correct?

1 A. Yes.

2 Q. Okay. And she also had a law degree; is that correct?

3 A. Yes.

4 Q. And a law license; is that correct?

5 A. Yes. As far as I know, yes.

6 Q. At the time in which Ms. Adams was hired at the Arizona  
7 State Senate, you weren't the minority leader; is that correct?

8 A. That's correct.

9 Q. Okay. Who was the minority leader?

10 A. When I was elected? Ever?

11 Q. When -- around when Ms. Adams was hired. So she was hired  
12 in December of 2012.

13 A. All right. So I -- yeah, I took office in January of 2013,  
14 so that was Senator Leah Landrum Taylor was the minority leader  
15 at that time.

16 Q. Okay.

17 A. Yeah.

18 Q. And when an individual is elected to minority leadership,  
19 as you sit now, what is the term of a minority leader?

20 A. Typically, it's the two-year term, because we all have  
21 two-year terms and the minority leader is elected typically for  
22 that term.

23 Q. Okay. So you will be minority leader for two years; is  
24 that correct?

25 A. Presumably, yes. It's not definitive. I mean, either I

1 can step down or the people that I work for, the other members  
2 could say, "Hey, thanks, but no thanks" and remove me.

3 Q. Yeah.

4 A. But typically it's two years.

5 Q. I understand.

6 In the history of the Arizona State Senate, in your  
7 involvement, are you aware of any period in time in which a  
8 minority leader has been ousted out of the role?

9 A. Yes. And it was -- Senator Landrum Taylor was, in the end  
10 of 2013, as I recall.

11 Q. Anyone else?

12 A. Not -- not in my knowledge, no.

13 Q. And is Ms. Landrum Taylor -- do you know why she was  
14 removed?

15 A. I -- let's see. I don't know -- the removal was abrupt and  
16 unexpected. At the time, the caucus -- when a caucus is called  
17 for the purpose of election, it's one of the few times that we  
18 meet without other people being in the room. And so the  
19 assistant leader in 2013, at the end of 2013, resigned her  
20 Senate seat.

21 Q. And was that Senator Linda Lopez?

22 A. Senator Linda Lopez, yeah.

23 Q. Okay.

24 A. And so myself and a few others, we were -- thought we were  
25 convening to replace her as the assistant leader, and so the



1 caucus was convened for that purpose. And so everybody --  
2 that's one of the few times -- excuse me -- that we meet  
3 without other people being present, the public being present.

4 Q. Okay.

5 A. And at that meeting, the motion was made to replace Senator  
6 Landrum Taylor, which was unexpected or un- -- for me, and  
7 for -- subsequently I discovered from Senator Taylor -- Landrum  
8 Taylor herself did not know that that was going to happen, that  
9 that was the purpose of the meeting.

10 Q. Okay. So can you explain what the leadership structure  
11 looks like within a caucus?

12 A. Typically -- in the minority, it's the minority leader is  
13 chosen first, typically, then an assistant leader, and a whip.  
14 And in the recent past, the Senate has had two whips, which is  
15 kind of outside the typical protocol.

16 And I can't -- I'm trying to recall if we had two  
17 whips at that point. I don't think we did. I think we just  
18 had the one, yes.

19 Q. Okay. And so assistant minority leader Linda Lopez was  
20 resigning from the Arizona State Senate to go into the private  
21 sector --

22 A. Yes.

23 Q. -- is that correct?

24 A. Yes.

25 Q. Okay. And so there was an opening for assistant minority

1 leader, correct?

2 A. Yes.

3 Q. And it was your understanding that the caucus was meeting  
4 in private for purposes of selecting a replacement for the  
5 assistant minority leader, correct?

6 A. Yes. Correct.

7 Q. And what happened?

8 A. Was -- a motion was made to replace the leader.

9 Q. Okay.

10 A. And so in order to do that, they needed -- you need a  
11 majority vote. It's a simple majority, so at that -- I think  
12 we had 13 members at that time, and so the majority would have  
13 been 7 votes to replace her.

14 And so they -- the folks that were intending to do  
15 that, unbeknownst to myself, Senator Landrum Taylor and a  
16 couple others did not know that that was about to happen. And  
17 the motion was made and carried, and Senator Landrum Taylor was  
18 replaced right there.

19 Q. Okay. And what is the race of Senator Landrum Taylor?

20 A. She's African-American.

21 Q. And what is her gender?

22 A. Female.

23 Q. Okay. And in the time that you've been involved in  
24 politics, have you known of any other minority leader being  
25 voted out prior to the completion of the two-year term?

1 A. Not -- not in the Senate. I think subsequent to this, a  
2 minority whip was replaced in the House, I think.

3 Q. Okay.

4 A. Yeah. That was -- oh, I'm sorry. That was actually  
5 immediately prior. I'm sorry. I'm recalling that wrong, yeah.

6 I think it was the session before that, the minority  
7 whip in the House was replaced.

8 Q. Okay. So minority leader Landrum Taylor is voted out by  
9 her own caucus, and then a new minority leader is selected; is  
10 that correct?

11 A. Yes.

12 Q. And who was that?

13 A. That was Senator Tovar.

14 Q. Okay. And was an assistant minority leader selected?

15 A. Yes.

16 Q. And who was that?

17 A. From Yuma. She's now a county supervisor, and I'm  
18 forgetting her name. But anyway, yeah.

19 Q. I'm trying to help you. I'm trying to think of her name  
20 too. Okay.

21 A. Pancrazi, I'm sorry. Senator Pancrazi.

22 Q. Okay. Very good.

23 And during that time, Senator Bradley, were you aware  
24 or did you have any knowledge as to who had hired Talonya  
25 Adams?

1 A. No. I would -- I could only assume that the minority  
2 leader and the chief of staff had input into that.

3 Q. Okay. But you don't have any knowledge that the only  
4 African-American minority leader the State of Arizona had, has  
5 ever had, hired the only African-American policy advisor  
6 working at the Arizona State Senate, do you?

7 A. I'm sorry. I guess I need you to rephrase the question.

8 Q. Ms. Landrum Taylor is the only African-American minority  
9 leader the --

10 A. That I know of, yes.

11 Q. -- State of Arizona has had; is that correct?

12 A. I believe that to be true, yes.

13 Q. Okay. And Ms. Adams was the only African-American policy  
14 advisor working at the Arizona State Senate; is that right?

15 A. Yes. Yes.

16 Q. All right. And you, then or now, have no knowledge that  
17 Ms. Landrum Taylor hired Ms. Adams, do you?

18 A. No. I mean, I did not -- because I was not involved in  
19 that process, so I don't know. In terms of -- if you're asking  
20 me whose decision it was, the final decision, I don't know.

21 Q. Okay. Is it your opinion that a minority leader can  
22 unilaterally appoint an individual that they might like into a  
23 policy advisor role?

24 A. I -- again, during -- I can only speak to how it's happened  
25 since I've been minority leader, and that is a -- we went

1 through a process of -- in our case of -- recently of  
2 evaluating folks, having an open call out to -- for people to  
3 apply, doing paper referrals, and then interviewing a few of  
4 them and then choosing a person.

5 And my understanding of the process is that we choose,  
6 and that ultimately the chief of staff of the Senate has the  
7 final say, as I understand it.

8 Q. And who is the chief of staff of the Senate?

9 A. It's Wendy Baldo.

10 Q. Okay. And at the time when Senator Landrum Taylor was the  
11 minority leader, who was the chief of staff at the Senate?

12 A. Wendy Baldo.

13 Q. Okay. At some point, Senator Bradley, prior to the  
14 legislative session, the Democrats get together and they have a  
15 retreat; is that correct?

16 A. Yes.

17 Q. Okay. And Peter Silverman was a chief of staff for the  
18 minority leader in 2012; is that correct?

19 A. Yes. Yeah -- well, yes. I was not there, but yes. That's  
20 my understanding, yeah.

21 Q. In 2013?

22 A. '13, yes, I was there.

23 Q. He was?

24 A. Yes.

25 Q. And you were there, and he was the --

1 A. Chief of staff, yes.

2 Q. -- chief of staff, okay.

3 And then in 2014, Peter Silverman left the Senate; is  
4 that correct?

5 A. Yes. After -- after the session, as I recall, yes.

6 Q. Okay.

7 A. Yeah.

8 Q. And so the Democratic Caucus was hiring for Peter  
9 Silverman's role; is that correct?

10 A. Yes.

11 Q. And Peter Silverman, at the Arizona State Senate, in 2014  
12 was both the general counsel and the chief of staff; is that  
13 correct?

14 A. Yes. That is my recollection, yes.

15 Q. Okay. And individuals applied for the role; is that right?

16 A. Of chief of staff?

17 Q. For general counsel and chief of staff, yes.

18 A. Yeah. I don't know if we -- at that point I think we  
19 separated out the positions, as I recall.

20 Q. Okay.

21 A. I'm not positive about that, but that's my recollection,  
22 yeah.

23 Q. Okay. And were they all internal applicants, or were there  
24 external applicants as well?

25 A. For both positions, there were both internal and external

1 candidates, yes.

2 Q. And when you say "both positions," what positions are you  
3 speaking of?

4 A. For the chief of staff and general counsel.

5 Q. Okay.

6 A. Yeah.

7 Q. So Peter Silverman had a dual role as general counsel and  
8 chief of staff, and upon his departure, those roles were  
9 separated and there was the general counsel role and the chief  
10 of staff role; is that correct?

11 A. Yes. Yeah, that's what I recall.

12 Q. Okay. And the internal candidates that applied for the  
13 chief of staff role, do you recall who they were?

14 A. It was Jeff Winkler and Patsy Osmon, and I -- as far as my  
15 recollection is only those two internal, as I can recall.

16 Q. Did Aaron Latham also apply for the role?

17 A. Yes. Yeah, now that you say that, yes.

18 Q. Okay. And they had sat on Democratic staff in a policy  
19 role prior to their application for the chief of staff; is that  
20 right?

21 A. Yes.

22 Q. Okay. Ms. Adams did not apply for this role, correct?

23 A. Not that I know of, no.

24 Q. Okay. And you sat on -- in on the interviews, did you?

25 A. Yes.

1 Q. Okay.

2 A. Yes.

3 Q. What was the process to select the chief of staff?

4 A. All the candidates were -- as they were interviewed, there  
5 was a standard set of questions that we went through and then  
6 scored them in some fashion, a 1 to 5 scale or something, as I  
7 recall.

8 And then went through that -- I don't believe that  
9 we -- I think the process was to interview everybody without  
10 talking about them, as I recall.

11 Q. Okay.

12 A. Yeah.

13 Q. And then upon the conclusion of interviews, then each  
14 individual would reveal their score?

15 A. Right. Then we'd talk about how people were scored. And  
16 you weren't required, but you may have -- a person may have  
17 given an explanation as to why they gave the score they gave,  
18 yeah.

19 Q. Okay. And at the end of that process, who was selected as  
20 the chief of staff?

21 A. At the end -- the final recommendation -- the committee  
22 gave a recommendation and -- to the minority leader, and the  
23 minority leader chose Jeff Winkler.

24 Q. Okay. What was the recommendation to the minority leader?

25 A. I think the recommendation to the minority leader was Patsy



1 Osmon.

2 Q. And Patsy Osmon, what is her race?

3 A. Caucasian. White.

4 Q. And gender?

5 A. Female.

6 Q. Okay. And had she been working at the Senate a while?

7 A. Yes. Yes.

8 Q. More than ten years?

9 A. As far as I -- because she was in -- she was there when I  
10 was in the House, and that was like ten years prior, so, yeah,  
11 at least that amount of time. I don't know exactly how long.

12 Q. Okay. And she was a licensed attorney; is that correct?

13 A. Yes.

14 Q. And she was the recommendation based on the scoring that  
15 had been conducted and the interviews to be the minority chief  
16 of staff, correct?

17 A. That's my recollection, yes.

18 Q. And then what happened?

19 A. Again, it was a recommendation to the minority leader at  
20 the time. And I don't know what process -- if she did  
21 subsequent interviews or anything, I don't know anything about  
22 that. But the decision -- the decision gets made to choose  
23 Mr. Winkler, yeah.

24 Q. Okay. And the minority leader at the time, who was that?

25 A. Katie Hobbs.

1 Q. Okay. And how was Mr. Winkler's scoring as it relates to  
2 the committee?

3 A. I honestly could not recall. I don't remember rank  
4 ordering or saying here, they're one, two, three. I just  
5 remember there being -- that Patsy was the person who scored  
6 the best.

7 Q. Okay.

8 A. That's what I remember, yeah.

9 (Court reporter clarification.)

10 THE WITNESS: That Patsy was the person who scored the  
11 highest.

12 BY MS. ADAMS:

13 Q. After minority leader Tovar -- she just serves the  
14 remainder of Senator Leah Landrum Taylor's term; is that  
15 correct?

16 A. Yes.

17 Q. After she departs in the minority leader role, who is  
18 elected as the minority leader?

19 A. Katie Hobbs.

20 Q. And when does that occur?

21 A. That would be November of '14.

22 Q. November of 2014?

23 A. Yeah.

24 Q. Okay. And November of 2014 is also when Peter Silverman  
25 left and these interviews commenced?

1 A. Correct.

2 Q. Okay. And so there was also a general counsel role; is  
3 that correct?

4 A. Yes.

5 Q. Okay. And did you speak to Ms. Adams about applying for  
6 the general counsel role?

7 A. I don't recall that conversation, no. I don't recall that.

8 Q. Do you know whether or not Ms. Adams did apply for the  
9 general counsel role?

10 A. Yes, she did.

11 Q. And you sat in on the interviews for the general counsel  
12 role; is that correct?

13 A. Yes, I did.

14 Q. And what was the process as relates to the committee's role  
15 in evaluating interviewees for the general counsel role?

16 A. Similar to the chief of staff role, where there was  
17 predetermined questions and then a scoring mechanism or scoring  
18 on a 1 to 5 scale, as I recall.

19 And then same process of not -- when a person would  
20 leave the room, we would not discuss that person. We went  
21 through all of the applicants.

22 Q. Okay. And upon the conclusion, was Ms. Adams selected as  
23 the recommendation from the committee?

24 A. No, she was not.

25 Q. Who was selected?

1 A. Lisette Flores.

2 Q. Okay. And upon your evaluation of Ms. Adams in the  
3 interview process, what score did you give her?

4 A. I gave her a high score. I don't know if it was the  
5 highest, but I gave her a high score, personally.

6 Q. So you were deposed in this case in March of 2018; is that  
7 correct?

8 A. Yes.

9 Q. And at the time of your deposition, do you recall saying  
10 the score ranking was a 1 to 5?

11 A. I believe so. I -- yeah.

12 Q. Do you recall stating you gave Ms. Adams a 5?

13 A. I -- yes. I -- I know I scored her high, yes.

14 Q. And why did you score Ms. Adams high?

15 A. Because in terms of the questions that were asked, I  
16 thought her responses were comprehensive and thorough and  
17 because she had -- having worked in the Senate, had more  
18 familiarity with the process.

19 Q. Was Ms. Adams the only African-American that applied for  
20 the general counsel role?

21 A. Yes.

22 Q. And what is the race of the individual that was selected,  
23 Lisette Flores?

24 A. Hispanic.

25 Q. Okay. As it relates to Ms. Adams' job performance at the

1 Arizona State Senate, are you aware of any criticisms of her  
2 work performance?

3 A. No. No, I was never privy or no one came to me to say  
4 anything negative about Ms. Adams.

5 Q. Did you have anything to say negative about Ms. Adams or  
6 her work performance?

7 A. No, I did not.

8 Q. Did you have any issue with Ms. Adams' work product?

9 A. No, I did not.

10 Q. Were you aware of Ms. Adams being absent or missing from  
11 the Arizona State Senate without anyone knowing where she was?

12 A. No, I was not aware.

13 Q. Did you trust Ms. Adams?

14 A. Yes.

15 Q. Did you find her to be reliable?

16 A. Yes.

17 Q. Did you find her to be professional?

18 A. Yes.

19 Q. Did you think that Ms. Adams liked her job at the Arizona  
20 State Senate?

21 A. I knew that Ms. Adams had a degree of tension about the  
22 job. I mean, I think in terms of the duties that she was  
23 assigned, I think she was comfortable in doing those things,  
24 but there was a level of tension for her personally.

25 Q. How did you know this?

1 A. She met with me separately.

2 Q. And when did she meet with you separately?

3 A. Again, time frames, it would be -- it was during session,  
4 and I would say either the middle or towards the end of  
5 session. I can't remember exactly.

6 Q. Do you recall what year?

7 A. I'm doing the math.

8 Q. Was Katie Hobbs --

9 A. 2015. Katie Hobbs was the --

10 Q. Minority leader?

11 A. -- minority leader, yeah.

12 Q. Okay.

13 A. So it would be 2015? Is that right?

14 Q. 2015? Okay.

15 And when Katie Hobbs became the minority leader, the  
16 leadership structure you talked about changed a little bit; is  
17 that correct?

18 A. Yes.

19 Q. So staff did not have a liaison or anyone that they could  
20 speak with prior to Katie Hobbs becoming the minority leader;  
21 is that correct?

22 A. Correct.

23 Q. And you became -- you received the title of staff liaison;  
24 is that correct?

25 A. It wasn't -- it was kind of a unique -- I was -- the title

1 I was given, and again, it's not an elected position in the  
2 caucus, but it was more of an honorific one in terms of I was  
3 the minority leader pro tem, is what it was, which to that  
4 point, as far as I know, had never existed before.

5 Q. What did you understand your role to be as minority leader  
6 pro tem?

7 A. My understanding of the role -- yeah, I think as I  
8 understood it, because as we discussed, the process in the  
9 previous session was difficult when Senator Landrum Taylor was  
10 removed, that in the following session, I think -- and I was  
11 one of the people, one of -- there was five or six of us who  
12 were taken aback by that whole process and had a difficult time  
13 operating in the context of the caucus because of levels of  
14 trust and other things.

15 And so when the new session started, there was an  
16 attempt to try to -- let's try to heal this rift as much as we  
17 possibly can. And so that's where we came up -- I think that's  
18 where we came up with this notion of having two -- two whips.

19 So there -- historically, there's a minority leader,  
20 assistant leader, and a whip, and I think at this point is  
21 where we came up with the two-whip idea, with the idea of  
22 getting more people engaged in the leadership. And then I'm  
23 not sure where the idea came from to appoint me in this  
24 position that heretofore had not existed and was not in the  
25 hierarchy of the Senate typically.

1           So because I was kind of seen as being on the other  
2 side of other people, I think the idea was to make -- you know,  
3 try to make amends, and I agreed with that. I said, we got to  
4 start over. We got to try to figure out how to work better  
5 together.

6           And that in my role, because my background is child  
7 welfare and behavioral health and I've managed -- I was the  
8 administrator of a psychiatric hospital. I ran a child welfare  
9 agency for 20-some years, so I had, you know, a fair amount of  
10 experience of hiring and firing and those type of things.

11           And so I just offered, I said, gee, if I can help in  
12 terms of, you know, personnel things I'd be glad to do that.  
13 But there was no job description per se of my role. As I  
14 understood it, was just to be helpful to the minority leader in  
15 whatever capacity she wanted me to do.

16 Q. As it relates to personnel things?

17 A. So -- right. And because a function of my background, she  
18 said, yeah, well, let's -- let's figure out how -- how to be  
19 helpful with personnel, specifically with policy staff.

20 Q. Right. Because three of the five policy staffers had just  
21 applied for roles, right?

22 A. Right.

23 Q. Well, four of the five, if you include Ms. Adams.

24 A. Yes.

25 Q. Right?



1 A. Yes.

2 Q. One, Jeff Winkler, received it. Right?

3 A. Correct.

4 Q. And did that create some tension in the basement as it  
5 relates to the policy advisors that had applied for chief of  
6 staff?

7 A. Yes, but I was not -- no one came to me as a function of  
8 that saying, "Gee, I'm upset" or "I'm distressed" or whatever.  
9 But just based on what happened, one could assume that there  
10 would be tension, yeah.

11 Q. Okay. And so at the Democratic retreat that occurred prior  
12 to the 2015 legislative session, do you recall it being at the  
13 Arizona Education Association?

14 A. Yes.

15 Q. Okay.

16 A. Yeah.

17 Q. Do you recall your role as minority leader pro tem being  
18 announced to the staff?

19 A. Yes. I think it was -- there was an explanation to the  
20 staff about what I was supposed to be doing or trying to do,  
21 yeah.

22 Q. Okay. And do you recall at that retreat asking Ms. Adams  
23 to step out of the room for a minute to have a discussion?

24 A. I'm sorry, I do not recall that.

25 Q. Okay. So how is it that Ms. Adams -- you and Ms. Adams

1 began to meet?

2 A. Ms. Adams made an appointment to see me in my office at  
3 some juncture during the session. And again, I can't be  
4 specific about when that first meeting occurred, but at some  
5 point just came to see me relative to tensions that she was  
6 experiencing in her job.

7 Q. Okay. And do you recall what she shared with you?

8 A. Well, I -- my recollection is is that she felt that her  
9 work was not being respected or was not being -- that there was  
10 some feedback about it not being comprehensive enough or  
11 something to that effect. And then there was an issue relative  
12 to attending classes, as I recall, and there was some problem  
13 relative to that.

14 Q. Did it have to do with the merger of ASU and Thunderbird  
15 School of Global Management?

16 A. I think the classes -- I don't know if the merger was  
17 germane or relevant to that tension or not, I don't know, but I  
18 think it was a function of attending classes at Thunderbird, I  
19 think, yes.

20 Q. And so you met with Ms. Adams on one occasion or more than  
21 one occasion?

22 A. More than one occasion. I can't really say how many. I  
23 would say a handful, at most.

24 Q. Okay. So you would say --

25 A. Four, five.

1 Q. Four or five times?

2 A. Something like that, yes.

3 Q. And in the times when you met with Ms. Adams, did she tell  
4 you that she felt like she was being treated differently?

5 A. Well, I think her level of tension was high, and it was  
6 getting -- it seemed, as my recollection is, is it was evolving  
7 to a point where she was getting more and more stressed.

8 My -- you know, I'm a licensed counselor by  
9 discipline, and so my approach is that -- is getting people to  
10 reflect back about what's going on with them. And I -- I  
11 advise folks to try to be -- you know, to help them be clear  
12 about what they're feeling, what they're thinking, and then in  
13 their interactions with other people, to be reflective of what  
14 you're hearing, to say, "Here's what I hear you saying" --

15 Q. Yes.

16 A. -- and that type of approach. That, as I recall, was the  
17 type of advice that I was giving her.

18 Q. Okay. And you weren't offering Ms. Adams any kind of  
19 professional services?

20 A. No.

21 Q. No?

22 A. No.

23 Q. You were simply inviting her to come to your office under  
24 the function of this pro tem role to have discussion around --

25 A. Well, I was accepting her setting up -- meeting with me. I

1 didn't go out aggressively, I mean, to invite her in. She  
2 asked me if she could meet with me and I agreed, and I didn't  
3 have any problem with that.

4 Q. Okay. And when you were deposed, Senator Bradley, we had a  
5 conversation about whether or not Ms. Adams mentioned she felt  
6 like she was being discriminated against. Do you recall what  
7 you stated?

8 A. I don't recall specifically, no.

9 Q. Okay. Do you recall Ms. Adams stating to you she felt like  
10 she was being discriminated against?

11 A. I don't recall those specific words. I don't recall that.

12 Q. Do you recall --

13 A. That doesn't mean it didn't happen.

14 Q. Do you recall any words as it relates to Ms. Adams stating  
15 that she was being treated differently, that she was concerned  
16 being the only African-American policy advisor there, that she  
17 had issues with taking on the work of her male counterparts?

18 A. Yeah. I think the focus of her conversations with me was  
19 an -- an inequitable workload, that folks were -- from her  
20 perspective, that she was being -- there was more being asked  
21 of her, and in terms of the number of, like, bills and things  
22 that she had to review, that she was beginning to feel that the  
23 workload was not being distributed equally, as I recall.

24 I don't recall her saying to me as a function of her  
25 being an African-American that that was the case, but that

1 perhaps for other interpersonal issues or whatever, it was her  
2 hypothesis, I think, about other problems that she was -- or  
3 stress that she was experiencing.

4 Q. Okay. Do you ever recall Ms. Adams making any statements  
5 to you as it relates to race or -- race discrimination in  
6 particular?

7 A. I honestly don't recall her saying that, no.

8 Q. Okay. What about sex discrimination?

9 A. No.

10 Q. Okay. Do you ever recall hearing anyone at the Arizona  
11 State Senate complain of race or sex discrimination?

12 A. No, I do not. I don't.

13 Q. When Senator Leah Landrum Taylor was ousted from her role,  
14 did you speak to her about her -- whether or not she felt like  
15 she had been discriminated against?

16 A. Yes. Yes. That was her feeling, yes.

17 Q. That's what she communicated to you?

18 A. Yes. Yeah.

19 Q. And it was discrimination on the basis of what?

20 A. Well, I think she was trying to -- as all of us, again,  
21 going back to the scene or the time, that those of us who were  
22 supportive of Senator Landrum Taylor, which I was one of those,  
23 were baffled by what happened.

24 And so we were, I think -- I remember sitting in her  
25 office with -- there was four or five of us that were in this

1 position, not just myself and Senator Landrum Taylor. Because  
2 Senator Lopez was still there at that time, so she was included  
3 in that.

4 And so, you know, we were trying to just make sense of  
5 this. Because we had had a fairly successful session.  
6 Medicaid passed, Medicaid expansion passed, and other things  
7 happened, and so we were -- we were taken aback as to what's  
8 the logic of this and --

9 Q. Was Senator Hobbs in the room there?

10 A. No.

11 Q. Was Senator Hobbs a part of the group that felt Ms. Landrum  
12 Taylor should have been removed?

13 A. The vote is secret, secret ballot, but just the logic of  
14 needing seven votes, she was not one of the five that walked  
15 out of the room after it happened, so it's safe to assume that  
16 she was part of that, yes.

17 Q. Okay. There had been a statement made that Ms. Landrum  
18 Taylor had lost the trust of her caucus. Had you heard that?

19 A. I think after the fact, as we -- and, again, the tension  
20 was pretty palpable at the time. And, you know, over time, as  
21 things settled down and we were trying to, you know, process  
22 it, the part of the explanation was is that she wasn't  
23 communicating with some of the members adequately enough and  
24 that was the justification for doing what they were -- what  
25 they did.

1 Q. Did you ever hear specifically that she had lost the trust  
2 of her caucus?

3 A. As a complaint from some of them, yes. Yes.

4 Q. Okay.

5 A. Yeah. As their reasoning for doing what they did.

6 Q. Okay.

7 A. Yeah.

8 Q. And did you ever lose trust in Senate Minority Leader Leah  
9 Landrum Taylor?

10 A. No. No, I had known her for many, many years.

11 Q. Are there any senators at the Arizona State Senate that you  
12 don't have trust in?

13 A. In the sense of --

14 Q. I'll strike the question.

15 As it relates to staffers, did you ever lose the trust  
16 of Ms. Adams?

17 A. No.

18 Q. What about other staffers at the Arizona State Senate?

19 A. No. No. I mean -- I mean, over the years -- I mean,  
20 again, looking back, this is my 16th year -- 15th year. So in  
21 the course of that time, gee, were there times when I thought a  
22 staffer may have not done as good a job as they could have  
23 done? Perhaps. I mean, over that time, I'm sure I had that  
24 feeling occasionally.

25 But in regard to Ms. Adams, no, never.

1 Q. In regards to the staffers where you had the feeling, were  
2 they fired?

3 A. No. No.

4 Q. Were you aware of -- are you aware of a discrimination --  
5 antidiscrimination policy at the Arizona State Senate?

6 A. Yes. Yes.

7 Q. What does it say?

8 A. Well, I think in the most recent past we've been having  
9 brief sessions relative to discrimination relative to various  
10 issues that have come up, particularly in regards to sex.

11 Q. Okay. Is that -- is part of that the scandal that happened  
12 with Senator Shooter, former Senator Don Shooter?

13 A. Yes.

14 Q. And also former Senator Montenegro?

15 A. Yes. I think that -- to the environment, yes. I don't  
16 know that Senator Montenegro was formally accused of anything,  
17 but in a general sense, yes.

18 Q. Okay. Do you think the Senate has an issue as it relates  
19 to sex discrimination?

20 A. I think over the years, I think the line gets crossed  
21 between, you know, flippancy and people saying things that  
22 they, you know, on reflection probably wouldn't have said or  
23 should have said. That would probably be true.

24 Q. Okay. Do you think the Senate has an issue as it relates  
25 to race discrimination?



1 A. It has not been my experience that that has manifested  
2 itself overtly.

3 Q. Okay. What do you mean when you say "overtly"?

4 A. Where one could say, gee, that decision that somebody just  
5 made was a function of discriminating on a basis race.

6 Q. Okay.

7 A. Yeah.

8 Q. How many African-American policy advisors work at the  
9 Senate now?

10 A. In the Democratic staff, there are none. And as far as --  
11 I can't speak to the other two staffs off the top of my head,  
12 but I do not believe there is one at this time, no.

13 Q. Okay. As it relates to your working relationship with  
14 Ms. Adams, did you find her friendly?

15 A. Yes.

16 Q. Did you socialize with her outside of work?

17 A. No.

18 Q. Did you have any difficulties in the working relationship?

19 A. None.

20 Q. Did the nature of the relationship with Ms. Adams change at  
21 any time for you?

22 A. Only in the sense of the subsequent meetings that we had  
23 that her -- her letting me know about her level of stress.

24 Q. Okay.

25 A. So that -- that was different, yeah.

1 Q. Did -- did Ms. Adams treat you with respect?

2 A. Yes.

3 Q. Did you ever see her openly disrespect you or other  
4 coworkers or --

5 A. Never, no.

6 Q. -- anyone at the Senate?

7 A. Never, no.

8 Q. When Ms. Adams was terminated, do you know the reason why  
9 she was terminated from the Arizona State Senate?

10 A. I do not.

11 Q. Did you know she was terminated over the telephone?

12 A. I did not know that.

13 Q. Did you know she was terminated while she was out of the  
14 office on approved leave?

15 A. I did not know that, no.

16 Q. Did you know her son had fallen ill and had been  
17 hospitalized?

18 A. No.

19 Q. Okay. When did you learn she was terminated?

20 A. Obviously after the fact. And I don't know the time frame,  
21 but I would estimate, you know, sometime within the week or a  
22 couple of days thereafter. I don't know specifically.

23 Q. Okay. So you're the sitting minority leader pro tem --

24 A. Uh-huh.

25 Q. -- honorary or not --

1 A. Uh-huh.

2 Q. -- to address personnel issues, and Ms. Adams is  
3 terminated, and you don't learn of it until after she is  
4 already terminated?

5 A. Correct.

6 Q. And do you recall how you learned she was -- had been  
7 terminated?

8 A. I don't remember specifically. I don't know if it was by  
9 email or by someone saying something to me directly. I don't  
10 recall specifically, no.

11 Q. And did you know of any actions or conduct that Ms. Adams  
12 had engaged in that would -- that should have resulted in a  
13 termination?

14 A. No, I do not.

15 Q. Were you surprised?

16 A. Yes.

17 Q. Did you seek out and try to identify why Ms. Adams had been  
18 terminated?

19 A. I think at that point, I remember speaking with Senator  
20 Hobbs and saying to her that obviously that, as you just  
21 mentioned, if my role in this pro tem position was to be  
22 helpful relative to personnel issues and I was not consulted  
23 about anything, that obviously the role doesn't mean anything.

24 So I didn't -- I don't remember formally resigning  
25 from it, but I think we both left the conversation just kind of

1 saying, well, that, you know, it -- the role is basically done,  
2 although, again, I didn't formally do anything relative to  
3 resigning from it.

4 But I didn't do anything thereafter relative to  
5 personnel issues.

6 Q. And Senator Hobbs accepted your resignation?

7 A. Again, it wasn't a formal --

8 Q. Yeah.

9 A. -- but it was accepted that I wasn't going to be doing --  
10 that she was not going to ask me to do those things, to do  
11 anything.

12 Q. Okay. And, Senator Bradley, I know I'm asking you the  
13 questions but please talk to the jury, because they're the ones  
14 really trying to capture the facts of this case.

15 As it relates to you meeting with Senator Hobbs, did  
16 you ask why Ms. Adams was terminated?

17 A. I don't -- I think -- again, I -- the level of trust  
18 probably among us was still fragile from the previous -- the  
19 previous session.

20 Q. And when you say "us," you mean yourself and --

21 A. Members.

22 Q. -- Senator Hobbs?

23 A. Members, yes.

24 Q. Members, okay.

25 A. As a general kind of thing.

1           And then specifically between Senator Hobbs. I was  
2 trying to be as helpful as I could to, again, heal this rift  
3 that had happened prior. And -- and I -- you know, as a  
4 function of having run an agency and being involved in  
5 personnel issues, I didn't press her to try to tell -- she had  
6 no duty or -- to explain to me her -- that decision. If she so  
7 chose to tell me, that -- if, in fact, it was her final  
8 decision, I don't even know that. I did not press her to  
9 explain that.

10 Q. I understand.

11           So Senator Hobbs was part of the faction that elected  
12 to oust Leah Landrum Taylor, the only African-American minority  
13 leader --

14 A. Presumably, yes.

15 Q. -- the state has had, correct?

16           THE COURT: Whoa, whoa, whoa. Let's -- please slow  
17 down.

18           MS. ADAMS: Yes.

19           THE COURT: And please wait till she finishes her  
20 question before you begin your answer.

21           And please wait till he finishes his answer before you  
22 begin your next question.

23           MS. ADAMS: Yes, Your Honor.

24           THE WITNESS: I'm sorry. Yes.

1 BY MS. ADAMS:

2 Q. And the basis was a loss of trust?

3 A. That was the subsequent explanation given to us, given --  
4 and when I say "us," I meant the members who did not vote that  
5 way.

6 Q. I understand.

7 A. Yeah.

8 Q. And then Senator Hobbs was the decision-maker to terminate  
9 Ms. Adams in the middle of session, in --

10 A. What --

11 Q. -- February of 2015?

12 A. All I can say is that she -- it's safe to assume that she  
13 was part of that decision. Whether the final decision was hers  
14 to make, I don't know that.

15 Q. Okay.

16 A. But she was certainly -- I would -- it's safe to assume  
17 that she was involved.

18 Q. And was the basis loss of trust, or you do not know?

19 A. I don't know the specifics of what the --

20 Q. Very good.

21 A. -- infraction was.

22 Q. Okay. Senator Bradley, I am short on time here, so I want  
23 to talk to you about similarly situated policy advisors in the  
24 Arizona State Senate.

25 A. Okay.

1 Q. So there's the Republican staffers, they have policy  
2 advisors; the Democratic staffers, they have policy advisors.  
3 We've heard testimony today that Republican staffers are paid  
4 more to be policy advisors because, you know, one of two  
5 things: They come out of the intern pool, and so if they were  
6 an intern for four months while in college, then they're  
7 eligible to serve on the Republican staff and apparently stack  
8 those years as experience; if -- and also, they just have a  
9 harder job.

10 Is that your perspective, that Republican policy  
11 advisors in the Arizona State Senate have a more difficult job  
12 than the Democratic policy advisors in the Arizona State  
13 Senate?

14 A. No.

15 Q. Why not?

16 A. Well, I would almost -- if I were to make any comparison, I  
17 would assert the reverse. Because typically the Democratic  
18 staff are fewer in number, sometimes as a function of their  
19 membership over the years. That's varied in terms of the  
20 number of members, so that's a factor.

21 But in terms of their workload, they still have to  
22 process basically the same amount of information, usually with  
23 less support, typically, than the majority staff has. So I  
24 would -- I would not agree to that assessment.

25 Q. For individuals that are staffing the same committees -- so

1 Ms. Adams staffed the Government Committee, she staffed the  
2 Public Safety Committee, at times she staffed Rural Affairs and  
3 Environment Committee. For Republican staffers that are  
4 staffing those same committees, is it your opinion that the  
5 workload is similar?

6 A. Assuming -- yes. I mean, yes. Yeah.

7 Q. So in each committee, there's a Republican policy advisor  
8 that is staffing the Republican members of that committee, and  
9 there is a Democratic policy advisor that is staffing the  
10 Democratic members of that committee. Correct?

11 A. Yes.

12 Q. And the work flow of the committee is based on the agendas  
13 and the bills; is that correct?

14 A. Yes.

15 Q. So irregardless of the number of senators that are sitting  
16 on the committee, the work flow is the same because all bills  
17 must be vetted; is that correct?

18 A. Yes, that's correct.

19 Q. For Republican staffers that are also staffing the chair on  
20 the committee, on each committee, that all the Republican --  
21 all the chairs on the committees are Republican; is that  
22 correct?

23 A. Yes.

24 Q. They get to help with the agenda; is that correct?

25 A. I can't say I know that for an absolute fact, but it's a



1 safe assumption.

2 Q. So they might have early information about which bills are  
3 actually in play for a committee?

4 A. Yes.

5 Q. And be able to prioritize their workload to the bills that  
6 are actually being heard and not the bills that are actually  
7 listed?

8 A. Correct.

9 Q. Is that correct?

10 A. That's correct.

11 Q. Okay. Is there any reason why you think Ms. Adams should  
12 have been paid less than her Republican policy advisor  
13 counterparts?

14 A. No. No.

15 Q. Is there any conduct that Ms. Adams engaged in that was  
16 similar to any other individual there that has been terminated?

17 A. No.

18 Q. Are you aware of any other policy advisor that's been  
19 terminated?

20 A. No, I'm not. Off the top of my head, no.

21 Q. Are you aware of any policy advisor that's been terminated  
22 in the middle of session?

23 A. No.

24 Q. Were you aware of any performance appraisals as relates to  
25 Ms. Adams?

1 A. No.

2 Q. What is your sense of Ms. Adams' reputation at the Arizona  
3 State Senate when she was a policy advisor?

4 A. She was respected for the work that she did and was  
5 thorough and comprehensive in her response. And if a question  
6 was asked of her that she didn't know, she was quick to  
7 acknowledge that she didn't know and that she would follow up  
8 quickly, getting the issue resolved.

9 Q. And Ms. Adams was a licensed attorney, but she didn't  
10 serve -- her title wasn't attorney; is that correct?

11 A. That's correct.

12 Q. And were you aware that the Arizona State Senate was paying  
13 Ms. Adams' Bar Association dues with the Arizona State Bar?

14 A. No, I did not know.

15 Q. Do you believe the Arizona [sic] benefitted from Ms. Adams'  
16 legal education, background, and Bar license?

17 A. Yes.

18 MS. ADAMS: I have no further questions, Your Honor.

19 THE COURT: Mr. Moberly?

20 MR. MOBERLY: Thank you, Your Honor.

21 CROSS-EXAMINATION

22 BY MR. MOBERLY:

23 Q. Hello, Senator.

24 A. Hi.

25 Q. My name's Mike Moberly, and I represent the Senate.

1 A. Sure.

2 Q. Do you have any personal knowledge of the experience levels  
3 of the Republican policy advisors that were in the Senate at  
4 the time Ms. Adams was there?

5 A. No. I would -- no.

6 Q. I think you indicated that the vote to oust Senator Landrum  
7 Taylor was by secret ballot?

8 A. Yes.

9 Q. And the people that are involved in that ballot are  
10 strictly senators, aren't they?

11 A. Yes.

12 Q. Ms. Baldo certainly wouldn't be involved in that, would  
13 she?

14 A. No, she would not.

15 Q. And you've never spoken with Ms. Baldo about Ms. Adams'  
16 performance, have you?

17 A. No, I have not.

18 Q. Do you recall, in your conversations with Ms. Adams about  
19 the tension she was feeling, whether you ever got the  
20 impression that there were any other tensions in her life that  
21 were contributing to what she was experiencing?

22 A. Again, my recollection is that I believe she had a -- has a  
23 son that was -- I think there was a medical issue, as I recall.  
24 I don't know. I can't remember what it was specifically.

25 Q. Anything else you remember?

1 A. No. I think she was seeking, as was discussed earlier -- I  
2 don't know if -- I'm assuming she was working on a degree from  
3 Thunderbird and was trying to balance work and that issue as  
4 well.

5 Q. You had a sense she was a little bit overwhelmed, didn't  
6 you?

7 A. I had a sense that she was distressed. I would -- yeah.

8 Q. Do you recall Ms. Adams asking you not to tell anyone else  
9 about the things she had been telling you?

10 A. I don't remember her saying that. I -- my recollection is  
11 is that I offered to her that did she want me to talk to  
12 someone about what she was talking to me, and she asked that I  
13 not do that so I didn't.

14 Q. Right. You did not; is that correct?

15 A. I did not.

16 MR. MOBERLY: Yeah.

17 No further questions, Your Honor. Thank you.

18 THE COURT: Okay. Any redirect?

19 MS. ADAMS: No further questions, Your Honor.

20 THE COURT: Okay. You may step down.

21 THE WITNESS: Thank you.

22 (Witness excused.)

23 (Further proceedings held on the record not  
24 transcribed herein.)

25

C E R T I F I C A T E

I, JENNIFER A. PANCRA TZ, do hereby certify that I am  
duly appointed and qualified to act as Official Court Reporter  
for the United States District Court for the District of  
Arizona.

I FURTHER CERTIFY that the foregoing pages constitute  
a full, true, and accurate transcript of all of that portion of  
the proceedings contained herein, had in the above-entitled  
cause on the date specified therein, and that said transcript  
was prepared under my direction and control.

DATED at Phoenix, Arizona, this 9th day of August,  
2019.

s/Jennifer A. Pancratz  
Jennifer A. Pancratz, RMR, CRR, FCRR, CRC